

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM  
Section 7: Rito de Tierra Amarilla

**MOTION FOR DEFAULT JUDGMENT**

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

Tony Martinez	CHTA-003-0028
Ramona Quintana	CHTA-003-0029
Andrew Aragon	CHTA-003-0039B
Dora L. Aragon	CHTA-003-0039B
Pablo Martinez	CHTA-004-0015

and as grounds therefore plaintiff states:

1. The Court has jurisdiction over the above-named defendants as shown by waivers of service of summons by Tony Martinez (Doc. No. 6771), Ramona Quintana, (Doc. No. 6654), Andrew Aragon (Doc. No. 6709), Dora L. Aragon (Doc. No. 6709) and Pablo Martinez (Doc. No. 6537).

2. The defendants named above are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed December 12, 2004 (Doc. No.

7680).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendants incorporating the terms of the State's proposed consent orders and in conformance with the January 12, 2001 Rio Chama Hydrographic Survey for Section 7, Rito de Tierra Amarilla.

Respectfully submitted,

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#### CERTIFICATE OF SERVICE

I hereby certify that copies of the above Motion for Default Judgment were mailed to following persons on May 27, 2005.

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